

Department of Public Health
and Human Services

Section:
APPLICATION FILING

TANF CASH ASSISTANCE

Subject:
Voter Registration

Supersedes: FAIM 103-6 (02/01/00)

References: National Voter's Registration Act of 1993 (NVRA)
P.L. 103-31, effective 1/1/95
MCA 13-2-221; ARM 37.78.102

GENERAL RULE--Agency based registration is a requirement of the National Voter's Registration Act (NVRA) of 1993. Agencies mandated to implement voter registration reform include those that provide public assistance.

► The application (HCS-250) and the redetermination form (HCS-272) ask if the individual wants to register to vote. If the answer is yes on either form, provide a voter registration card. If the answer is no or the question is not answered, consider this a declination and no further inquiry is necessary. Each applicant and recipient must be offered a voter registration form when their voting district has changed.

NOTE: Completed voter registration forms shall be transmitted to the local Clerk and Recorder within ten (10) calendar days from the date received or within three (3) calendar days of the close of registration, which is thirty (30) days before an election.

DECLINATION/ AGENCY RETENTION FORMS

In accordance with federal regulations, the Secretary of State's Office has developed an Agency Retention Form that will be attached to the voter registration card that is used in public agencies mandated to provide voter registration assistance. The Agency Retention Form includes the following:

1. A question regarding whether or not the individual would like to apply to register to vote;
2. A statement which indicates applying to register or declining to register to vote will not affect the amount of assistance provided by the agency;
3. Boxes for the applicant to check indicating whether or not they would like to register or decline to register, along with a statement indicating checking neither box will be considered a decision not to register to vote at this time;

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4. A statement regarding the Department of Public Health and Human Services' (DPHHS) responsibility to assist in completion of the voter registration application form, if desired; and
5. A statement instructing the individual how to proceed if they believe someone has interfered with their right to register to vote, their right to privacy or their right to choose their political preference.

NOTE: Agency Retention Forms and Voter registration cards are available from the Secretary of State's Office at (406) 444-2034.

**ELIGIBILITY
STAFF
RESPONSIBILITIES**

DPHHS and agency staff that provide voter registration services shall **not**:

1. Seek to influence an applicant's political preference or decisions;
2. Display any political preference or party allegiance;
3. Make any statement or take any action to discourage an applicant from registering to vote;
4. Make any statement or take any action that leaves an applicant with the impression that a decision to register or not register has any bearing on eligibility for or receipt of any program benefit; and
5. Disclose the identity of the voter registration agency of any applicant to the public (right of privacy).

**COUNTY
DIRECTOR/
DESIGNEE**

County Director/Designee responsibilities include:

1. Ensuring voter registration information, Registration Cards/ Agency Retention Forms are made available for each applicant/ recipient (even those interviewed in their home) as specified below;
2. Ensuring procedures are in place to transmit completed Registration Cards to the Clerk and Recorder within ten calendar days, taking care to protect the confidentiality of applicants by using **plain envelopes**; and
3. Ensuring Agency Retention Forms are forwarded on a weekly basis to:

**Renie Hanson
PO Box 202925
Helena, MT 59620-2925**

NOTE: If an applicant/participant does not wish to complete the agency retention form or checks a box but declines to include other identifying information, treat this as a blank form and continue with your normal service to the applicant.

4. Providing the same level of assistance to any applicant/recipient in completing the voter registration form, if requested, as would be provided in completing the application for assistance.

NOTE: When an individual has included some identifying information on the Agency Retention Form but declines to sign it, send the unsigned form to the Secretary of State's Office.

►**CENTRAL OFFICE**

The Agency Retention forms are forwarded on a monthly basis to:

**Secretary of State's Office
PO Box 202801
Helena, MT 59620-2801**

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